

567—148.4(455B) Site investigation for listing on registry.

148.4(1) *Determination of eligibility.* The department shall determine if a site meets the statutory definition of a hazardous waste or hazardous substance disposal site. A brief written document shall be prepared which includes a recommended eligibility determination and provides summary information in support of this recommendation. The purpose of the determination document is limited to providing guidance for conducting further investigation of the site.

a. File review. The review of site investigation reports and other documents in the department's files shall be the primary source of information for making the eligibility determination. The director may also conduct an on-site investigation in the manner provided by Iowa Code section 455B.416 to help make the eligibility determination.

b. Documentation of disposal. The determination of hazardous waste or hazardous substance disposal is supported by the confirmation of disposal of a specific amount of at least one hazardous waste or hazardous substance. Other evidence may provide adequate support for a positive determination and may include documentation of waste disposal that is likely to have included a significant amount of at least one hazardous waste or hazardous substance, or documentation of soil, surface water, or groundwater contamination and a likely disposal source location.

c. Documentation of illegal or unregulated disposal. The determination of disposal either illegally or prior to regulation as a hazardous waste or hazardous substance is appropriate for confirmed disposal activities unless the disposal occurred legally at a permitted hazardous waste disposal facility as regulated in accordance with the Resource Conservation and Recovery Act (RCRA).

148.4(2) *Site information package.* A site information package shall be developed to provide an accurate summary of information about the site based on the relevant information in the department's files. The document is intended to provide sufficient summary information to support adding a site to the registry and determining a site classification. However, the use of the site information package is not intended to prevent consideration of the more complete file documents or of new information about the site.

a. File review. The review of site investigation reports and other documents in the department files shall be the primary source of information for preparing the site information package. The director may also conduct an on-site investigation in the manner provided by Iowa Code section 455B.416 to help prepare the site information package.

b. Contents. The site information packages shall be prepared with a similar format for each site. This format shall be designed, and modified as appropriate, to ensure that adequate information for the investigation of sites, as required by Iowa Code section 455B.428, is included in each document.

c. Site boundaries. A legal description of the site is required for the registry listing. This boundary description shall be proposed in the site information package and shall include the area used for disposal and any adjoining real property and groundwater affected by the disposal activity. The site description may include multiple property owners.

d. Toxicity and environmental fate summaries. Information about the characteristics of individual toxic contaminants shall be contained in an appendix attached to the site information package. This information shall be developed as separate summary documents for the contaminants found at or known to be disposed of at the site. These individual summary documents are intended to provide supplemental information about the toxic characteristics of the most significant contaminants found at the site. Once prepared, these documents can be updated and reused with other site information packages as appropriate. The toxicity and environmental fate summaries shall be prepared with a similar format for each contaminant. This format shall be designed, and modified as appropriate, to ensure that adequate information is included in each document.